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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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In re:

**EASY STREET HOLDING, LLC, et al.,**

Tax ID Numbers:

35-2183713 (Easy Street Holding, LLC),  
20-4502979 (Easy Street Partners, LLC), and  
84-1685764 (East Street Mezzanine, LLC)

**Case No. 09-29905**  
(Jointly Administered with Cases 09-29907  
and 09-29908)

Chapter 11

Honorable R. Kimball Mosier

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**EX PARTE MOTION FOR ORDER ALLOWING COUNSEL FOR WESTLB, AG  
TO PARTICIPATE TELEPHONICALLY**

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WestLB, AG ("WestLB"), a secured creditor in the above-captioned case, by and through its undersigned counsel, respectfully moves the Court for an order allowing WestLB's counsel, Richard W. Havel of Sidley Austin, LLP, located in Los Angeles, California to

participate telephonically at the hearing set for tomorrow, December 3, 2009, and at future hearings held in this bankruptcy case. In support of this Motion WestLB represents as follows:

1. WestLB is represented by Richard W. Havel of Sidley Austin, LLP out of its office in Los Angeles, California, and by Utah counsel, Annette W. Jarvis, Peggy Hunt and Benjamin J. Kotter of Dorsey & Whitney, LLP.

2. Mr. Havel is the primary attorney representing WestLB in relation to the Debtors, and is knowledgeable regarding all facts and issues surrounding WestLB's status as a secured creditor herein. However, for various hearings, including the hearing scheduled for December 3, 2009, it may not be necessary for Mr. Havel to incur the time and expense of traveling to Utah to attend.

3. As for the December 3, 2009 hearing, WestLB has filed a reply, responding to issues raised by the Unsecured Creditors Committee (the "Committee") which WestLB anticipates will resolve the issues raised by the Committee to the Debtor's application to employ Gemstone Hotels & Resorts, LLC.

4. Mr. Havel does not anticipate an evidentiary hearing taking place which would require him to appear other than telephonically.

5. The undersigned or another attorney from WestLB's Utah counsel, Dorsey & Whitney, LLP will be personally present at the December 3, 2009 hearing, and at any subsequent hearing at which Mr. Havel may need to make a telephonic appearance.

Accordingly, WestLB respectfully requests that the Court enter an order allowing Mr. Havel to appear telephonically for the December 3, 2009 hearing and at subsequent hearings when it is not necessary for Mr. Havel to appear in person on the matters before the Court.

DATED this 2<sup>nd</sup> day of December, 2009.

**DORSEY & WHITNEY, LLP**

/s/ Benjamin J. Kotter  
Annette W. Jarvis  
Peggy Hunt  
Benjamin J. Kotter

and

Richard W. Havel  
**SIDLEY AUSTIN, LLP**

*Attorneys for WestLB AG*